IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 16826 of 2004

Between:

G. Raghavendra Rao, S/o. Subba Rao,
R/o. Bayyaram, Khammam District.

..... PETITIONER

AND

1. The Executive Engineer, Roads & Buildings,
   Special Division, Kothagudem, Khammam District.
2. The Superintending Engineer, Roads & Buildings,
   Special Division, Khammam, Khammam District.
3. The Chief Engineer, Roads & Buildings, Erra Manzil, Hyderabad.
4. The Pay & Accounts Officeer,
   Khammam, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or Direction more particularly one in the nature of Writ of Mandamus directing the Respondents to finalize the bills pertaining to work, namely improvements to Bayyaram to Pandipumpula Road from K.M. 11/22 to 12/0 in Khammam District, awarded in the favour of the petitioner under Food for Work Programme in terms and conditions of the Agreement.

Counsel for the Petitioner :MR.A.PRABHAKAR RAO

Counsel for the Respondents : GP FOR ROADS & BUILDINGS

The Court made the following:

ORDER:

The petitioner is a Contractor who entered into an agreement with the respondents by executing certain works under “food for work” programme. The petitioner contends that he completed the work about two years back, but the bills pertaining to him are not so far finalized. Therefore, he approached this Court seeking a direction to the respondents to finalize the bills pertaining to the work executed by him in terms and conditions of the agreement.

Though, the learned Counsel for the respondent concedes that the bills of the petitioner have not been finalized, he opposed the application, on the ground that it cannot be maintained and that similar petitions have been dismissed by this Court, which were filed by similar contractors.

In the present writ petition, the limited prayer of the petitioner is to direct the respondents to finalize the bills pertaining to the work executed by him on the ground that they are causing undue delay in finalizing the bills, while finalizing the bills of some other contractors which amounts to violation of Article 14 of the Constitution of India.

Since the respondents are not disputing the entrustment of the work to the petitioner under the “food for work” programme, the respondents are directed to finalize the bills of the petitioner according to the existing rules and instructions and the terms of the agreement by taking into consideration the totality of the circumstances including the lapses if any on the part of the petitioner in undertaking the work.

The Writ Petition is accordingly disposed of. No order as to costs.

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Dr. G. Yethirajulu, J.

Dt: 29th September, 2004.

RNS

To

1. The Executive Engineer, Roads & Buildings,
   Special Division, Kothagudem, Khammam District.

2. The Superintending Engineer, Roads & Buildings,
   Special Division, Khammam, Khammam District.

3. The Chief Engineer, Roads & Buildings, Erra Manzil, Hyderabad.

4. The Pay & Accounts Officeer,
   Khammam, Khammam District.

5. Two CCs to Government Pleader for Roads and Buildings,

High Court of A.P., Hyderabad.(OUT),

6. Two CD copies.